

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

KEMP EARL MITCHELL,	)	
	)	
Petitioner,	)	Civil Action No. 18 – 223J
	)	
v.	)	District Judge Kim R. Gibson
	)	Magistrate Judge Lisa Pupo Lenihan
	)	
ERIC BRADLEY, <i>Warden</i> ,	)	
	)	
Defendant.	)	

**ORDER**

The Petitioner in this matter has submitted for filing a Petition for Writ of Habeas Corpus without a filing fee or the forms required to proceed *in forma pauperis* in a habeas case. This action may not proceed unless the Petitioner either,

- (1) tenders to the “Clerk, U.S. District Court” a statutory filing fee in the amount of \$5.00, or,
- (2) files a properly completed application to proceed *in forma pauperis*, along with an authorization form and a certified copy of his prison account statement for the six (6) months preceding the filing of his Petition. An application to proceed *in forma pauperis* and authorization form are enclosed.

Therefore,

**IT IS HEREBY ORDERED** this 26th day of November, 2018 that the Clerk of Court mark this case **CLOSED**.

**IT IS FURTHER ORDERED** that the Petitioner may submit a motion to proceed *in forma pauperis*, along with a certified copy of the inmate account statement for the six (6) months preceding the filing of his Petition. If that motion is granted, the case will be reopened.

**IT IS FURTHER ORDERED** that the Petitioner may reopen this case by paying the \$5.00 filing fee.

**AND IT IS FURTHER ORDERED** that the Petitioner is allowed fourteen (14) days from this date to appeal this order to a District Judge pursuant to Rule 72.C.2 of the Local Rules. Failure to appeal within fourteen (14) days may constitute waiver of the right to appeal.

/s/ Lisa Pupo Lenihan

Lisa Pupo Lenihan  
United States Magistrate Judge

cc: Kemp Earl Mitchell  
31413-037  
FCI Loretto  
P.O. Box 1000  
Loretto, PA 15940